

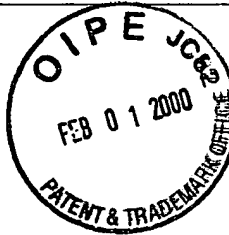
Box J 644 WD  
Gau 1644  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Lee et al.

Serial No.: 09/181,311

Filed: October 28, 1998

For: *In vitro Differentiation of Vascular Smooth  
Muscle Cells and Reagents Related Thereto*



Group Art Unit: 1644

FEB - 4 2000

Examiner: Turner, S.

TECH CENTER 1600/2900

Docket No.: APV-382.01

FEB 09 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on the date indicated below:

January 24, 2000  
Date of Signature and Mail Deposit

By: Carmen Parra

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

Sir,

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures mailed on December 22, 1999, Applicants submit a paper copy of a Sequence Listing; a computer readable form of the Sequence Listing; a Statement that the contents of the paper copy and computer readable form of the Sequence Listing are the same and that no new matter was added; a Preliminary Amendment directing the Sequence Listing into the specification; and a copy of the Notice.

No fees are believed to be due. However, the Commissioner is hereby authorized to charge and underpayments, or credit any overpayments, to our Deposit Account No. 06-1448.

Respectfully submitted,

By:

I. Clauss  
Isabelle M. Clauss, Ph.D.  
Reg. No. (see attached)  
Agent for Applicants

Patent Group  
FOLEY, HOAG & ELIOT, LLP  
One Post Office Square  
Boston, MA 02109-2170  
Telephone: (617) 832-1000  
Facsimile: (617) 832-7000

Dated: January 24, 2000



**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE**

**FEB 09 2000**

**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Isabelle M. Clauss is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Foley, Hoag & Eliot LLP to prepare and prosecute patent applications wherein the applicants are clients of Foley, Hoag & Eliot LLP, and wherein a registered practitioner who is a member of Foley, Hoag & Eliot LLP is the attorney of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Isabelle M. Clauss ceases to lawfully reside in the United States, (ii) Isabelle M. Clauss' employment with Foley, Hoag & Eliot LLP ceases or is terminated, or (iii) Isabelle M. Clauss ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: March 7, 2000**

Harry I. Moatz, Acting Director  
Office of Enrollment and Discipline



Washington, D.C. 20231

REMARKS

CE-1004

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO.

SERIAL NUMBER

FILING DATE

EXAMINER *Turner*

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

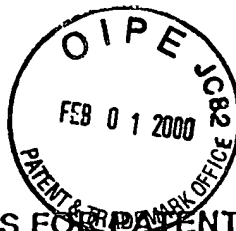
This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provision of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication should be directed to  
at telephone number (703) 308-0656.

*Sequences which do not comply see p. 18 lines 27-28,  
p. 22 lines 5-6, p. 51 lines 4, 5, 10, 11, 14, 15, p. 52 lines 4  
and 32, p. 55 lines 25-26, p. 56 lines 17-18  
p. 58, line 11 and see Fig 6 and 9*

ANTHONY C. CAPUTA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 1600



Application No.: 09/181311

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s)

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

COPY FOR [ ] File [ ] Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: APV-382.01

In, re patent application of

Lee, Arthur M.E. et al.

Serial No. 09/181,311

Filed: October 28, 1999

For: IN VITRO DIFFERENTIATION OF VASCULAR SMOOTH MUSCLE CELLS AND  
REAGENTS RELATED THERETO



STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
**Box SEQUENCE**

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;

2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and

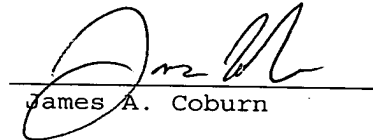
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/181,311

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Respectfully submitted,

January 14, 2000  
Date

  
James A. Coburn

**HARBOR CONSULTING**  
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